Preserve

App. F. IX-4

1929-30

File No. 179/29

Previous References

CB 161-26 (Compld Cd No. 95 of 26-27) Reg of Fr.
CB 69-25-148 (Compld Cd No. 103 of 25-26) Re- Extension of service
CB 161-26-143 (Compld Cd. No. 45 of 26-27) - Reg. emoluments

Serial No. 1

Later References

C. B. 79. 36. 11.

General and Revenue Secretariat.

Serial No. 1

Part B for June 1930

SUBJECT

Request of Mr. S. G. Forbes, Chief Electrical Engineer, about his relief from 1st July 1930

T. The Comptroller, Nyasaland Govt, thro' H. Suff
Chief Electrical Engineer in Nyasaland
Financial Assistant to the Chief Electrical Engineer
No. 4593-5/C.B. Dy 9/6/30

Permits Mr Forbes to withdraw from his contract & leave the service from 1st July 1930 & also allows him to draw the full amount of provident fund (including Govt. contribution) & exempts him from refunding a portion of the passage charges already drawn by him.

C.294

913

App. F. III—2]

General and Revenue Secretariat | File No. | of 192

Serial No.

Letter dated the 27th April 1930 from Mr. S.G. Forbes, Chief Electrical Engineer, re: termination of his services with effect from 1st July 1930.

A detailed note is put up regarding the admissibility of the requests made by him.

The gist of Mr. Forbes representation is that he should not be subjected to any of the disabilities attached to premature termination of his contract at his instance. Under the strict terms of the contract, he may be held to be not entitled to the Government share of the contribution to the Provident Fund (about Rs.7,750), and he may be required to refund nearly Rs.4,000 of the passage charges already drawn by him.

Considering however the circumstances under which he is leaving us (with our consent) and his offer to do consulting work for the department, without charging any fees, his requests may perhaps be considered favourably.

DEWAN'S OFFICE
12 MAY 1930
4788

Third Member ✓ 7/5
Dhs' Jr sec

No remark
8-5-30.

Papers to
9-5-30

Dewan

Mas & Considered at the next 10/5
Council meeting.

13/5

Note—Contn. Sheet

WD 066—GPB—30,000—26-7-29

Note.

Re: Requests of Mr. S.G. Forbes,
Chief Electrical Engineer.

The present term of contract of Mr.Forbes is for 5 years from 21-10-1926. The points raised in Mr. Forbes letter dated 27th April 1930, for orders, are:-

(1) Relief from 1st July 1930.

(2) Payment of Provident Fund bonus payable by Government.

(3) Exemption from liability to refund passage charges drawn by him in excess of what is admissible under the terms of contract.

2. Re: (1). - This is stated to have been agreed to, and only issue of formal orders is sought.

3. Re: (2). - Mr. Forbes has been admitted to the benefit of the Provident Fund Scheme of the Electrical Department for the present period of Agreement only i.e., for 5 years from 21st October 1926. Government are to contribute at the rate of 1 anna per rupee of salary under the scheme. Mr. Forbes drew Rs.2600 for first two years, and is drawing Rs.2,750 since 21-10-1928. Up to 30th June 1930, the Government's hare of contribution works up to about Rs. 7,340 and with interest may come to the figure mentioned by Mr. Forbes.(Rs.7,750) In this connection reference is invited to Rule 13 of the Provident Fund Rules.

13. "If an employee resigns the service of his own accord and before reaching the regular age of retirement, as specified in para 12 (b) and (c) supra, he will not be entitled to any part of Government's contribution to the Fund. But such retirement does not preclude his re-engagement, if Government see fit, and in case of such re-engagement, the previous period of service will not count towards the Fund that will become due under the new engagement."

4) Re: (3). - Exemption from refund of excess passage charges drawn by him.

This is a point not free from doubt. There are several clauses in the contract

bearing on the question of passages. Under clauses 3 B and 4, if Mr.Forbes' services are terminated for not performing his duties efficiently Government are liable to pay the travelling allowance of himself and family to New York by shortest route limited to three full fares of second class. Under clause 5, Government are liable at the expiration of agreement to pay the travelling allowance of Mr.Forbes and family back to New York, 4 first class fares (amount of one first class passage by sea being fixed at Rs.1500). These passages may be availed of for outward or homeward journey anytime during term of contract, subject to refund of the excess if found to be less than the amount due under the other clauses. The present case (being termination of service at the request of Mr.Forbes before the expiry of term) seems to be governed by clause 10 and under this he seems to be entitled to only to 44/60 of the travelling allowance admissible under clause 3 B (i.e. 44/60th of 3 full fares of second class); against 4 first class fares (at 1500 each fare) drawn by him. Mr. Forbes seems to think that he is entitled to 44/60 of 4 first class fares and that only 16/60 of this rate is repayable by him. Mr. Forbes further requests exemption from repayment of this amount (which will come to about Rs.1600 according to his calculation, but to much more than this if he is deemed entitled to 44/60th of three first class fares only).

We may accept his view.

(For Scrutiny)

The grounds on which he claims this concession are:-

Can be verified by Fin. Asst. to C.S.E.

(i) Privilege leave for about half a month which he will have at credit on 1st July 1930 and which he is not availing of;

(ii) Portion of the month's salary provided (for his going home) under clause 6. Though provision is made under cl.6 for payment of a month's salary to cover homeward voyage, this concession is under clause 10 specifically excluded in case when the contract is terminated earlier at Mr.Forbes request. So he is not entitled to this.

Also under clause 12, the passage charges under any of the clauses are payable only if Mr Forbes actually secures passage to leave India for New York within 2 months after termination of services. Mr.Forbes says he actually availed himself of the passages for going to America, and request that this clause may be waived. This is for special consideration.

5

(For Disposal at a Meeting)

No. C. 294

of 1929-30

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT

(clause V of the schedule)

Requests of Mr. S.G. Forbes, Chief Electrical Engineer in Mysore, regarding his relief from 1st July 1930.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

Chief Secretary to Government.

13th May 1930.

6892 14/5 **First Member of Council.** 14.5.30

8612 14/5 **Second Member of Council.** 14/5

110/16 13/5 Third Member of Council. 13/5

D2

C294.

Extract from the Proceedings of the 857th *Meeting of the Council of His Highness the Maharaja, held at Bangalore on the* 16th May 1930.

20. Subject. - Clause v of the schedule.

Requests of Mr. S. G. Forbes, Chief Electrical Engineer in Mysore, in regard to his relief from 1st July 1930.

OPINION OF THE COUNCIL.

Mr. Forbes may be relieved from 1st July, as desired by him.

In view of his offer to do consulting work for Mysore free of charge, his requests in regard to Provident Fund and passages may be granted.

(Sd.) Mirza M. Ismail,
DEWAN OF MYSORE.

For favour of final Note,

Third Member.

17/5

Signed T.N. Puttuppa
20/5
D.S.N. Sastri.

21/5

Dewan.

"EXTRACT"

Chief Secretary to Government.

21-5-30

WD 1471—GPB—2,000—1-3-21

Final Note by the Third Member of Council.

Subject:— Request of Mr. S.G. Forbes, Chief Electrical Engineer in Mysore, in regard to his relief from 1st July 1930.

The present term of engagement of Mr. S.G. Forbes, Chief Electrical Engineer, is for 5 years from 21st October 1926. Mr. Forbes has requested to be released from his contract and relieved from the State service from 1st July 1930.

Under the Electrical Department Provident Fund rules to the benefit of which Mr. Forbes was admitted in 1927, Government has been contributing to Mr. Forbes' Provident Fund a sum equal to one anna per rupee of his salary, but an employee who resigns the service of his own accord before his term, is not entitled to receive the Government contribution. Mr. Forbes says that his Provident Fund on 1st July 1930 will be about Rs.15,500 including the Government contribution of Rs. 7,750 approximately and he has asked that he may be allowed to draw the whole of the amount (including the Government contribution).

Under his contract he is entitled to 4 passages during his period of engagement, but as he has already drawn the value of the passages and will have served only 44 months (out of the 60 covered by his contract) he is liable to refund the excess over 44/60th of the value of the passages. This comes to about Rs.1,600. Mr. Forbes requests that he may be excused from refunding this. At the same time he has undertaken to do any consulting work required for the Electrical Department without charging a fee.

The matter was considered at a meeting of the Council held on the 16th instant when it was resolved that

(i) Mr. Forbes may be relieved from 1st July 1930 as desired by him, and that
(ii) in view of his offer to do consulting work for Mysore free of charge, his requests in regard to Provident Fund and Passages may be granted.

I solicit His Highness' gracious sanction to the resolution of the Council.

Bangalore,
20th May 1930.

MEMBER OF COUNCIL.

Submitted to His Highness.

I submit herewith a Final Note by the Third Member of Council regarding the requests of -- Mr. S. G. Forbes, Chief Electrical Engineer in Mysore, about his relief from 1st July 1930, for His Highness' gracious approval.

Mirza M. Ismail
Dewan.
2/-5-30

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Request of Mr. S.G. Forbes, Chief Electrical Engineer, about his relief from 1st July 1930.

520

Order.

~~KRW~~
26/5/30

C. Secy
No
28-5-30

MM 28/5

General and Revenue Secretariat

3913/CA

294

Request of Mr. S.G. Forbes, Chief Electrical Engineer, about his relief from 18th July 1930.

(*)

31. All urgent or confidential files returned with His Highness' orders may in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders before/after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

Chief Secretary to Government.

Through the Secretary to Government,

.....Department.

7241/30/5

FIRST MEMBER OF COUNCIL. 30/5/30

SECOND MEMBER OF COUNCIL. (on leave)

11582/28/5

THIRD MEMBER OF COUNCIL. 30/5/3

CA.

Draft

NOTE.—Contn. sheet.

E233

Draft submd

CPR 31/5

(Instructions are solicited about action to be taken in regard to the Consequential arrts.)

OHIL... TARY.
31 MAY 1930

C 294
29-30

App. F. III—2]

General and Revenue Secretariat | File No. | of 192

Serial No.

(Included in Agenda for 4.6.30)

The draft G.O may be approved
The question of appointing a successor to
Mr Forbes (recent retirement in the Income Tax
of the Electrical Dept) may be settled at
the next council meeting on the 4th June
mm 31/5

Hon Member
Hon Secy: El Dept

11760/26

DEWAN'S OFFICE
2 JUN 1930
5126

I think suitable -
I think we may add some
words of appreciation of Mr Forbes
valuable services during the last
fourteen years, if the Dewan approves
by
2/6/30

Dewan
mm
2/6

I have no objection. I think in his
Mm 2/6 say it would be advisable
to add a few R.O.
words

11902
5/6

Resubmitted with an additional
para to the draft G.O; for favour of
approval & other orders

GSA 4/6/30

Hon Member
mm 5/6

I think the G.O. is suitable
for issue
mm 5/6

App: by Dewan
Issue mm 5/6

by 5/6/30

Note—Contn. Sheet

WD 066—GPB—60,000—26-7-29

General and Revenue Secretariat. | File No. | of 192

Serial No. 1

To

The Comptroller Bihar T.D
The Chief Electrical Engineer
The Financial Asst to C.E.E.

4593-T/CD 179-29-I dtd 9.6.30
permits Mr Forbes to withdraw from his
Contract and leave the Service from (-)-3-30 and
also allows him to draw the full amount of Provident
Fund (including Govt Contribution) and exempts him
from refunding a portion of the passage charges
already drawn by him.

B.

NOTE—Contn. sheet.

WD 066—GPB—30,000—26-7-29

Confidential

D. O. No. Cl. 1468

Cl. 3913

OFFICE OF THE CHIEF ELECTRICAL ENGINEER
TO THE GOVT. OF MYSORE

Bangalore, 27th April 1930
(S. INDIA)

Dear Sir Mirza Ismail,

III Member
M.K. Compts
28-4-30

I would like to confirm the request I made to you on the 10th instant to release me from Mysore Government service at the earliest date possible and my second request that I be kindly granted Government's contribution to my Provident Fund.

We discussed my release the next day in your Chambers at the Public Offices when Mr.Matthan was present and you very kindly agreed to my release on the first of July and I would greatly appreciate it if you would kindly issue orders to this effect and that the full amount of my Provident Fund, less any dues to Government, be passed to me on the day I hand over charge to my successor. My Provident Fund on the 1st July 1930 will stand at Rs.15,500 approximately and therefore Government's contribution will amount to approximately Rs.7750.

I am sending up officially my recommendations for the organization for operating and maintaining the Electrical Department after I have handed over charge.

2. Clause 10 of my contract with Government provides that I shall have fully earned the passages provided for under Clause 5 after 60 months of service and Note 2, under Clause 5 provides that the passages can be utilised for either outward or homeward journeys any time during the period of this contract or at the expiration thereof. The 3rd note under Clause 5 provides that any amount drawn under this Clause in excess of the sum due shall be refunded by me to Government..

I have already utilised the 4 passages provided for and as I will have to serve on the 1st. July 1930 only a little over 44 months, I will have to refund 16/60th of the passages already paid to me and I would request you to kindly waive the operation of this clause, bearing in mind that I will lose any

any privilge leave accumulated on that date which will amount to about half-a-month and the portion already earned of the month's salary provided for my going home under Clause 6 of the contract.

3. I would also request you to kindly waive the operation of Clause 12 of the contract, as the intention of this clause was to ensure that any passage money paid to me by Government would be actually utilised for the purpose of travelling to and fro India and the United States and the money was so used.

4. I intend starting my own consulting business in Bombay and as discussed with you and Mr.Matthan, I will be very glad to assist Mysore Government in any manner within my power in connection with any question you may consider my advice and assistance desirable, but especially in connection with the questions pertaining to the Electrical Department and I will do any consulting work pertaining to the Electrical Department without charging a fee and would be willing to visit Mysore at least once a year for a week or 10 days for going over the Electrical Department with the Chief Electrical Engineer.

I wish to take this opportunity of thanking the Government of His Highness the Maharaja of Mysore for the consistent kindness and courtesy which has been extended to me uniformly throughout my entire service since the 23rd March 1913 and to thank you personally for your kindness and friendship during this time. I would also like to add that, except for the reasons explained to you personally, nothing would cause me to leave Mysore service until my age of usefulness has been passed.

SGF-PRN.

Yours sincerely,

S.G.Forbes

To
Amin-ul-mulk
Sir Mirza M.Ismail,Kt.,C.I.E.,O.B.E
Dewan of Mysore,
Bangalore.

Proceedings of the Government of
H.H. the Maharaja of Mysore.

- - - - - - - - - - -

R e a d:-

Agreement dated 22nd May 1926 embodying the terms of re-engagement of Mr. S.G. Forbes, B.Sc., as Chief Electrical Engineer for a period of 5 years from 21st October 1926.

2. G.O. No.2513-4/C.B.161-26-2, dated 11th February 1927 permitting Mr. Forbes to draw a consolidated monthly salary of Rs.2,600/- during the first two years and of Rs.2,750/- during the remaining 3 years of the above term.

3. G.O. No.E.D.S.20-3, dated 27th June 1927 directing that Mr. Forbes be allowed as a special case the benefit of the scheme of Provident Fund and Bonus to the employees of the Electrical Department (sanctioned in G.O. No.E.D.S. 3992-96, dated 6th May 1926) for the current period of ~~5 years covered by the agreement referred to above~~ his commencing from 21st Oct 1926.

4. Letter No.Cl.1468, dated 27th April 1930 from Mr. Forbes, requesting that he may be permitted to terminate his services with effect from 1st July 1930 and granted certain concessions in this connection.

H Cr 2635/29

9/6 Issued 11.6.30

Financial Secretary Loan
Secretariat file.

Communicated

- - - - - - - - - -

Order No.G.4093-5/C.B.179-29-1

Dated, Bangalore the 9th June 1930.

Under the circumstances represented by Mr. Forbes, Government are pleased to allow Mr. Forbes to ~~fore-close~~ withdraw from his contract and leave the service with effect from the 1st July

July 1930.

2. Mr. Forbes requests that he may be paid the full amount of Provident Fund (including Government contribution) at his credit on 1st July 1930 after deducting dues to Government if any and that he may also be exempted from his liabilities under the contract to refund a portion of the passage charges already drawn by him. He states that he intends starting his own consulting business in Bombay and would be glad to assist the Mysore Government in any manner within his power and do any consulting work pertaining to the Electrical Department, without charging a fee. In view of this kind offer, Government are pleased to waive their claim under the terms of contract and allow Mr. Forbes the concessions asked for by him.

3. Government are pleased to place on record their appreciation of the valuable services rendered by Mr. Forbes as head of the Electrical Department for over 15 years, during which period, the activities of the Department were extended in all directions and several important schemes of development were successfully completed, and the working of the Department was maintained at a high level of efficiency.

Chief Secretary to Govt.

To

The Comptroller to Government through the Financial Sectt.

The Chief Electrical Engineer in Mysore.

The Financial Assistant to the C.E.E.

Copy to Secty. P.W.D. & Elec. Deptt.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

- - - - - - - - -

R e a d:-

Agreement dated 22nd May 1926 embodying the terms of re-engagement of Mr. S.G.Forbes, B.Sc., as Chief Electrical Engineer for a period of 5 years from 21st October 1926.

2. Government Order No.2513-4/C.B.161-26-2, dated 11th February 1927 permitting Mr. Forbes to draw a consolidated monthly salary of Rs.2,600/- during the first two years and of Rs.2,750/- during the remaining 3 years of the above term.

3. Government Order No.E.D.S.20-3, dated 27th June 1927 directing that Mr. Forbes be allowed as a special case the benefit of the scheme of Provident Fund and Bonus to the employees of the Electrical Department (sanctioned in Government Order No.E.D.S.3992-96, dated 6th May 1926) for the current period of his term commencing from 21st October 1926.

4. Letter No.Cl.1468, dated 27th April 1930 from Mr. Forbes, requesting that he may be permitted to terminate his services with effect from 1st July 1930 and granted certain concessions in this connection.

- - - - - - - - - - -

Order No. 4393-97/C.B.159-29-

Dated, Bangalore the 9th June 1930.

Under the circumstances represented by Mr. Forbes, Government are pleased to allow Mr. Forbes to withdraw from his contract and leave the service with effect from the 1st July 1930.

2. Mr. Forbes requests that he may be paid the full

full amount of Provident Fund (including Government contribution) that would be at his credit on 1st July 1930 after deducting dues to Government if any, and that he may also be exempted from his liability under the contract to refund a portion of the passage charges already drawn by him. He states that he intends starting his own consulting business in Bombay and would be glad to assist the Mysore Government in any manner within his power and do any consulting work pertaining to the Electrical Department, without charging a fee. In view of this undertaking, Government are pleased to allow Mr. Forbes the concessions asked for by him.

3. Government are pleased to place on record their appreciation of the valuable services rendered by Mr. Forbes as head of the Electrical Department for over 13 years. During this period the activities of the Department were considerably extended, several important schemes were successfully completed and the working of the Department was maintained at a high level of efficiency.

Seshaiyangar

for Chief Secretary to Government.

To

The Comptroller to Government, through the Financial Secretariat.

The Chief Electrical Engineer in Mysore.

The Financial Assistant to the Chief Electrical Engineer.

Aga/8.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read:—

Agreement dated 22nd May 1926 embodying the terms of re-engagement of Mr. S.G. Forbes, B.Sc., as Chief Electrical Engineer for a period of 5 years from 21st October 1926.

2. Government Order No. 2513-4/C.B.161-26-2, dated 11th February 1927 permitting Mr. Forbes to draw a consolidated monthly salary of Rs.2,600/- during the first two years and of Rs.2,750/- during the remaining 3 years of the above term.

3. Government Order No.E.D.S.20-3, dated 27th June 1927 directing that Mr. Forbes be allowed as a special case the benefit of the scheme of Provident Fund and Bonus to the employees of the Electrical Department (Sanctioned in Government Order No.E.D.S.3992-96, dated 6th May 1926) for the current period of his term commencing from 21st October 1926.

4. Letter No.Cl.1468, dated 27th April 1930 from Mr. Forbes, requesting that he may be permitted to terminate his services with effect from 1st July 1930 and granted certain concessions in this connection.

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Order No. ಕ. ೪೨೨೨-೨/ಸಿ.ಬಿ.೧೨೯-೨೯-೧

Dated, Bangalore the 9th June 1930.

Under the circumstances represented by Mr. Forbes, Government are pleased to allow Mr. Forbes to withdraw from his contract and leave the service with effect from the 1st July 1930.

2. Mr. Forbes requests that he may be paid the full amount of Provident Fund (including Government contribution) that would be at his credit on 1st July 1930 :

after deducting dues to Government, if any, and that he may also be exempted from his liability under the contract to refund a portion of the passage charges already drawn by him. He states that he intends starting his own consulting business in Bombay and would be glad to assist the Mysore Government in any manner within his power and do any consulting work pertaining to the Electrical Department, without charging a fee. In view of this undertaking, Government are pleased to allow Mr. Forbes the concessions asked for by him.

3. Government are pleased to place on record their appreciation of the valuable services rendered by Mr. Forbes as head of the Electrical Department for over 15 years. During this period the activities of the Department were considerably extended, several important schemes were successfully completed and the working of the Department was maintained at a high level of efficiency.

N. Nea Shanker Rao

Chief Secretary to Government

To

The Comptroller to Government, through the Financial Secretariat.

The Chief Electrical Engineer in Mysore

The Financial Assistant to the Chief Electrical Engineer.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS
THE MAHARAJA OF MYSORE.

- - - - - - - - -

R e a d:-

Agreement dated 22nd May 1926 embodying the terms of re-engagement of Mr. S.G.Forbes, B.Sc., as Chief Electrical Engineer for a period of 5 years from 21st October 1926.

2. Government Order No. 2513-4/C.B.161-26-2, dated 11th February 1927 permitting Mr. Forbes to draw a consolidated monthly salary of Rs. 2,600/- during the first two years and of Rs. 2,750/- during the remaining 3 years of the above term.

3. Government Order No. E.D.S. 20-3, dated 27th June 1927 directing that Mr. Forbes be allowed as a special case the benefit of the scheme of Provident Fund and Bonus to the employees of the Electrical Department (sanctioned in Government Order No. E.D.S. 3992-96, dated 6th May 1926) for the current period of his term commencing from 21st October 1926.

4. Letter No. Cl. 1468, dated 27th April 1930 from Mr. Forbes, requesting that he may be permitted to terminate his services with effect from 1st July 1930 and granted certain concessions in this connection.

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Order No. E. 45-93-5/ C.B. 179-29-1

Dated, Bangalore the 9th June 1930.

Under the circumstances represented by Mr. Forbes, Government are pleased to allow Mr. Forbes to withdraw from his contract and leave the service with effect from the 1st July 1930.

2. Mr. Forbes requests that he

full amount of Provident Fund (including Government contribution) that would be at his credit on 1st July 1930 after deducting dues to Government if any, and that he may also be exempted from his liability under the contract to refund a portion of the passage charges already drawn by him. He states that he intends starting his own consulting business in Bombay and would be glad to assist the Mysore Government in any manner within his power and do any consulting work pertaining to the Electrical Department, without charging a fee. In view of this undertaking, Government are pleased to allow Mr. Forbes the concessions asked for by him.

3. Government are pleased to place on record their appreciation of the valuable services rendered by Mr. Forbes as head of the Electrical Department for over 15 years. During this period the activities of the Department were considerably extended, several important schemes were successfully completed and the working of the Department was maintained at a high level of efficiency.

Sd/- Subbarayappa.

for Chief Secretary to Government.

To

The Comptroller to Government, through the Financial Secretariat.

The Chief Electrical Engineer in Mysore.

The Financial Assistant to the Chief Electrical Engineer.

AGa/8.